

023/2001



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— PRESS RELEASE —

Wednesday March 21, 2001

**A BRONX MAN IS CONVICTED OF INTENTIONAL MURDER  
IN THE 1998 STRANGULATION DEATH OF HIS GIRLFRIEND**

Bronx District Attorney Robert T. Johnson announced today that a 29 year-old Bronx man has been convicted of fatally strangling and stabbing his 20 year-old girlfriend in the vicinity of Pelham Parkway in 1998.

A jury found Derick Andrades, of 1320 West Farms Road, the Bronx, guilty of Murder in the 2<sup>nd</sup> degree, in the death of Magalie Nieves. Acting State Supreme Court Justice John S. Moore set sentencing for Monday, April 23, 2001 in Part 22. Andrades faces a maximum term of up to life imprisonment when sentenced.

Andrades testified that he believed his girlfriend Magalie Nieves to be HIV Positive. He demanded that she prove she was not and gave her a deadline. When Nieves did not meet his demands, Andrades gained her confidence, then lured her to Pelham Parkway where he and his co-defendant Ericka Cruz, 14, stabbed and strangled Nieves. Cruz provided detailed testimony about the crime in exchange for a lesser plea. Under the agreement she will be allowed to plead guilty to Manslaughter in the 1<sup>st</sup> degree. Cruz is facing a maximum term of up to 10 years imprisonment when she is sentenced On March 30, 2001 in Part 22.

Nieves' body was discovered on September 6, 1998, about 3 to 4 hours after the murder among bushes in the vicinity of 980 Pelham Parkway South, clad only in her underwear and the

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scarf used to strangle her. Under a court order and with the consent of the Nieves family the results of the HIV test was publicly released. The victim was HIV Negative.

Assistant District Attorneys William Flack, Chief Trial Attorney and Terri Goldstone, prosecuted this case.

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